LEGISLATIVE ASSEMBLY.

SIXTH DAY.

Wednesday, 21st March 1951.

The Assembly met in the Assembly Hall at Four Minutes past One of the Clock on Thursday the 21st March 1951.

Mr. Speaker (The Hon'ble Sri V. Venkatappa) in the Chair.

STARRED QUESTIONS

(to which oral answers were given).

The Hon'ble Sri K. CHENGALARAYA REDDY (Leader of the House): Sir, as the Hon'ble Home Minister is coming late, I request that the questions standing in his name may be taken up later.

Mr. SPEAKER (The Hon'ble Sri V. Venkatappa).—We will then take up the IV set. Question No. 10, Sri H. C. Linga Reddy.

Gopal Rao Enquiry Committee Report.

*Q.—10. **Sri H. C. LINGA REDDY** (Kolar District—General).—

Will the Government be pleased to state:—

whether they will furnish copies of the report of the Gopal Rao Enquiry Committee to the members of this House?

A.—**The Hon'ble Sri K. CHENGALARAYA REDDY** (Chief Minister).—No.

Sri H. C. LINGA REDDY.—May I know the reason?

***The Hon'ble Sri K. CHENGALARAYA REDDY.**—The report is of a confidential nature. And certain aspects arising out of the report are still before courts and as such the matter is *sub judice* also. That is why the said report cannot be furnished to the Hon'ble Members.

Sri H. C. LINGA REDDY.—You have been pleased to say that it is *sub judice*. Is not the enquiry completed as yet?

The Hon'ble Sri K. CHENGALARAYA REDDY.—The Committee's work is over. But certain aspects arising out of the report are still in courts and are *sub judice* in that sense.

Sri H. C. LINGA REDDY.—What are the main recommendations made by the Committee?

The Hon'ble Sri K. CHENGALARAYA REDDY.—I submit Sir, that it has been disallowed already and I do not think that supplementaries can be put on disallowed questions.

Sri H. C. LINGA REDDY.—I am only asking for information relating to the main points in the recommendations of the Committee.

Mr. SPEAKER.—That question has been disallowed.

Sri H. C. LINGA REDDY—How long back was this report submitted by the Committee to the Government?

The Hon'ble Sri K. CHENGALARAYA REDDY.—Last year.

Sri H. C. LINGA REDDY.—And how long do the Government take to consider the various aspects of the recommendations contained in the report?

The Hon'ble Sri K. CHENGALARAYA REDDY.—I have already said that on certain matters the parties have gone to courts and it is *sub judice*. That is one thing. Moreover there are certain complicated matters which have got to be considered by the Government and that depends upon the decisions that may be taken in the courts. So it is not likely that we may take decision independently on all aspects.

Sri H. C. LINGA REDDY.—What are the matters with reference to which the parties have gone to courts?

The Hon'ble Sri K. CHENGALARAYA REDDY.—I want notice. One party has gone to the Supreme Court,

Sri M. GOVINDA REDDY (Chitaldrug District—General).—Will the report be placed on the table of the House after all the cases are disposed of?

The Hon'ble Sri K. CHENGALARAYA REDDY.—That will be considered later.

Sri D. H. CHANDRASEKHARAIYA (Chitaldrug District—General).—Will not the conclusions reached or the suggestions made in the report be helpful to the public in regard to their future transactions? In that sense will not the Government think it desirable that the recommendations may be made known to the public?

The Hon'ble Sri K. CHENGALARAYA REDDY.—The only question now is as to when the decision to publish the report will be taken. Before we are in a position to publish it, certain preliminaries to such publication must be fulfilled and it will be only thereafter that we can take a decision to publish it or not.

Janab MAHOMED HANIEF (Bangalore—Muslim).—Is the report a confidential document?

The Hon'ble Sri K. CHENGALARAYA REDDY.—I have already answered it.

Mr. SPEAKER.—The Hon'ble Chief Minister has already said that it is confidential.

Janab MOHAMED HANIEF.—Is it because that it is *sub judice* or confidential that you are prevented from publishing the report?

The Hon'ble Sri K. CHENGALARAYA REDDY.—I said that that is one reason. There are also several other aspects which have got to be considered.

Janab MOHAMED HANIEF.—I want to know which is it that prevents the Government from making these copies available?

The Hon'ble Sri K. CHENGALARAYA REDDY.—For the present, the fact that some of these cases are still before the courts has influenced the Government not to publish it. There are certain other aspects which the Government may have to consider before decision is taken to publish it or not.

ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪನವರು (ಮೈಸೂರು ಜಿಲ್ಲೆ).—ಕೋರ್ಟಿಗೆ ಹೋಗದೆ ಇರತಕ್ಕ ಅಂತಿಗಳಲ್ಲಿ ವಿವರಗಳನ್ನು ಕೊಡುವುದಕ್ಕೆ ಸಾಧ್ಯವೆ?

The Hon'ble Sri K. CHENGALARAYA REDDY.—The document is an integral one. One thing depends upon the other. It is not as if we can so easily separate one from the other.

Sri H. M. CHANNABASAPPA.—Can the Government tell me the total number of officers that had lent money to Sri Gopal Rao and the total amount of money that had been received?

The Hon'ble Sri K. CHENGALARAYA REDDY.—I submit, Sir, that this question does not arise out of the main question.

Sri H. SIDDAVEERAPPA (Chitaldrug District—General).—Is the report printed?

The Hon'ble Sri K. CHENGALARAYA REDDY.—No.

Mushir-ul-Mulk J. MOHAMED IMAM (Tumkur *cum* Chitaldrug—Muslim).—When did the Government receive this report?

The Hon'ble Sri K. CHENGALARAYA REDDY.—It has been answered.

Janab J. MOHAMED IMAM.—I want to know the exact date.

The Hon'ble Sri K. CHENGALARAYA REDDY.—I cannot give the exact date.

Janab J. MOHAMED IMAM.—Have the Government taken action against any Government servants in pursuance of this report?

The Hon'ble Sri K. CHENGALARAYA REDDY.—The Government are considering the whole question. I am not in a position to disclose the details.

Janab J. MOHAMED IMAM.—Is it not a fact that some of the officers have been forced to take leave as a result of the enquiry by this Committee?

The Hon'ble Sri K. CHENGALARAYA REDDY.—One or two officers might have been asked to give explanation regarding some of their dealings.

Janab J. MOHAMED IMAM.—Is it not a fact that these officers still continue to be on leave though they were given leave about six or eight months ago?

The Hon'ble Sri K. CHENGALARAYA REDDY.—Only one of them, because some of the explanations which have been called for have not been furnished fully.

Janab J. MOHAMED IMAM.—Is it not a fact that this Committee was appointed in pursuance of a resolution of the Representative Assembly in this regard?

The Hon'ble Sri K. CHENGALARAYA REDDY.—Quite so.

Janab J. MOHAMED IMAM.—So, is it not proper that the Legislature which empowered the Government to appoint this committee should be taken into confidence and the report should be supplied to the Members of the Legislature?

Mr. SPEAKER.—The Hon'ble Leader of the House already said that he would consider that point.

Janab J. MOHAMED IMAM.—What action have the Government taken or they proposed to take to prevent the repetition of such a thing?

The Hon'ble Sri K. CHENGALARAYA REDDY.—The very fact that we instituted an enquiry into this affair has been a powerful factor in preventing such a thing occurring hereafterwards.

ಶ್ರೀ ಎಸ್. ಸಿ. ಸೂರ್ಯನಾರಾಯಣಶೆಟ್ಟರು (ಹಾನನ ಜಿಲ್ಲೆ).—ಈ ಸಂದರ್ಭದಲ್ಲಿ ಆ ಸಮಿತಿಯಲ್ಲಿ ಕೆಲಸಮಾಡಿದ ಅಧಿಕಾರಿಗಳಿಗೇನಾದರೂ ಇನಾಂಗಳನ್ನು ಕೊಟ್ಟಿದ್ದೀರಾ?

*ಮಾನ್ಯ ಶ್ರೀ ಕೆ. ಚೆಂಗಲರಾಯರೆಡ್ಡಿಯವರು.—ಇನಾಂಗಳನ್ನು ಯಾರಿಗೂ ಕೊಟ್ಟಿಲ್ಲ.

ಶ್ರೀ ಎಸ್. ಸಿ. ಸೂರ್ಯನಾರಾಯಣಶೆಟ್ಟರು.—ಸಂಭಾವನೆಗಳನ್ನೇನಾದರೂ ಕೊಟ್ಟಿದ್ದೀರಾ?

ಮಾನ್ಯ ಶ್ರೀ ಕೆ. ಚೆಂಗಲರಾಯರೆಡ್ಡಿಯವರು.—ಸರ್ಕಾರದ ರೂಲ್ಸುಗಳಿಗನುಸಾರವಾಗಿ ಯಾವ ಯಾವ ಇರಾಖೆಯಿಂದ ಅಧಿಕಾರಿಗಳು ಈ ಸಮಿತಿಯಲ್ಲಿ ಬಂದು ಕೆಲಮಾಡಿದ್ದಾರೋ ಅಂಥವರಿಗೆ ಅವರು ಮಾಡಿರತಕ್ಕ ಕೆಲಸಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ಯಾವ್ಯಾರಿಗೆ ಕಾನೂನು ಪ್ರಕಾರ ಏನೇನು ಕೊಡಬಹುದಾಗಿತ್ತೋ ಅದನ್ನು ಮಾತ್ರ ಕೊಡಲಾಗಿದೆ.

ಶ್ರೀ ಎಸ್. ಸಿ. ಸೂರ್ಯನಾರಾಯಣಶೆಟ್ಟರು.—ಈ ಸಮಿತಿಯಲ್ಲಿ ಸೇವೆ ನಲ್ಲಿಸಿದ ಖಾಸಗೀ ಸದಸ್ಯರುಗಳಿಗೇನಾದರೂ ಸಂಭಾವನೆಗಳನ್ನು ಸಲ್ಲಿಸಿದ್ದೀರಾ?

ಮಾನ್ಯ ಶ್ರೀ ಕೆ. ಚೆಂಗಲರಾಯರೆಡ್ಡಿಯವರು.—ಇಲ್ಲ.

ಶ್ರೀ ಎಸ್. ಸಿ. ಸೂರ್ಯನಾರಾಯಣಶೆಟ್ಟರು.—ಆ ಸಮಿತಿಯವರ ವರದಿಯನ್ನು ಸಭೆಯಮುಂದೆ ಇಡಲಾಗುತ್ತದೆಯೇ?

ಅಧ್ಯಕ್ಷರು.—ಹಾಗೆ ಇಡಲಾಗುವುದಿಲ್ಲವೆಂಬುದಾಗಿ ಆಗಲೇ ಉತ್ತರ ಕೊಟ್ಟಿದ್ದಾರೆ. ಈಗ ಎರಡನೆಯ ಭಾಗದಲ್ಲಿ ಅಚ್ಚಾಗಿರತಕ್ಕ ಪ್ರಶ್ನೋತ್ತರಗಳ ಪೈಕಿ 32ನೆಯ ಪ್ರಶ್ನೆಯನ್ನು ಕೈಗೆದುಕೊಳ್ಳಲಾಗುತ್ತದೆ.

Present arrangement for maintenance of minor tanks.

*Q. –32. **Sri S. KARIAPPA** (Bangalore District—General).—

Will the Government be pleased to state :—

the present arrangement for maintenance of minor tanks?

A.—**The Hon'ble Sri T. MARIAPPA** (Home Minister).—

Maintenance of Tanks.

(i) In regard to the maintenance of tanks, there is no difference between major and minor tanks. Where there is a Tank Panchayet, the duty of maintenance devolves on that Panchayet.

(ii) Repairs to masonry, *e.g.*, waste weir, sluices, etc., are carried out by the Public Works Department.

(iii) Earthwork, turfing, removal of rank vegetation from bunds and supply channels should be attended to by land-holders and others deriving any *benefit* from the tank.

(iv) The duty of enforcing the obligations of the raiyats rests upon the Patel under the supervision of the higher Revenue Officers. In cases of default, the work may be carried out by the Amildar and the amount recovered as a revenue demand.

(v) Petty work, the cost of which does not exceed Rs. 100 and also one year's average revenue of the atchkat may be carried out on rough estimates under the orders of the Amildar. The Amildar's imprest should be used in the first instance for this and recouped by prompt recovery from raiyats. Detailed estimates should be prepared in all other cases and sanctioned by the Deputy Commissioner if the cost does not exceed Rs. 1,000. Works involving heavy outlay or technical difficulties may, at the discretion of the Deputy Commissioner, be entrusted to Public Works Department for execution.

(vi) If maintenance work is neglected and the cost of executing it exceeds one year's revenue from the tank, the excess is generally borne by Government; but this rule has been recently modified. It is within the